

DOCKET SECTION

PRESIDING OFFICER'S
RULING NO. R97-1/98

UNITED STATES OF AMERICA
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268

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Postal Rate and Fee Changes

Docket No. R97-1

PRESIDING OFFICER'S RULING GRANTING MOTIONS FOR LATE ACCEPTANCE

(February 11, 1998)

Several participants have filed motions for the late acceptance of interrogatory responses.¹ The pleading from ABA/NAA indicates that responses of their witness Clifton are being filed one day out of time due to the difficulty of coordinating between several individuals with whom witness conferred in the preparation of his response.

In the case of responses filed one day late by UPS witness Neels, counsel for UPS indicates that witness Neels was unable to prepare his responses more promptly due to his absence from the office on travel.

The responses of the Postal Service to interrogatories redirected from witness Crum (UPS/USPS-T28-42-46) were filed five days out of time due to the need to direct attention to other discovery.

On February 3, 1998, The McGraw-Hill Companies, Inc. filed a partial objection to USPS/MH-1-34 accompanied by a motion for late acceptance of the objection and an extension of time for response. Counsel for McGraw-Hill indicates that prior to filing its objection, McGraw-Hill contacted counsel for the Postal Service and "it was agreed that

¹ American Bankers Association & Newspaper Association of America Motion to Accept Late-filed Interrogatory Answers, filed February 9, 1998; Motion of United Parcel Service to Accept One Day Late the Answers of United Parcel Service Witness Kevin Neels to Interrogatories of United States Postal Service (USPS/UPS-T1-1 through 32), filed February 5, 1998; and Motion for Late Acceptance of and Response of United States Postal Service to Interrogatories of United Parcel Service Redirected from Witness Crum (UPS/USPS-T28-42-46), filed February 4, 1998.

McGraw-Hill would provide only sack and pallet reports to the extent they were available." At that time the Postal Service further agreed that it would not object to the late filing of the objection, or to the requested extension, until February 19, 1998, to file the agreed upon responses.

I will grant these motions.

RULING

1. The American Bankers Association & Newspaper Association of America Motion to Accept Late-filed Interrogatory Answers, filed February 9, 1998, is granted.

2. The Motion of United Parcel Service to Accept One Day Late the Answers of United Parcel Service Witness Kevin Neels to Interrogatories of United States Postal Service (USPS/UPS-T1-1 through 32), filed February 5, 1998, is granted.

3. Motion for Late Acceptance of and Response of United States Postal Service to Interrogatories of United Parcel Service Redirected from Witness Crum (UPS/USPS-T28-42-46), filed February 4, 1998, is granted.

4. The Partial Objection of the McGraw-Hill Companies to Interrogatories USPS/MN-1-34 and Motion for Late Acceptance of Objection and Extension of Time for Response, filed February 3, 1998, is granted as described in the body of this ruling.


Edward J. Gleiman
Presiding Officer